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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH, CENTRAL DIVISION

NEVADA STAR RESOURCES CORP., a

Nevada Corporation,

Plaintiff/Counterclaim Defendant,

vs.

WESTERN UTAH COPPER COMPANY, a Utah Corporation,

Defendant/Counterclaim Plaintiff.

DECLARATION OF DAVID McMULLIN

IN SUPPORT OF DEFENDANT'S OPPOSITION TO MOTION FOR

PRELIMINARY INJUNCTION

Case No.: 2:09-cv-00542-DAK

Judge Dale A. Kimball

Magistrate Judge David O. Nuffer

I, DAVID McMULLIN, declare as follows:

- 1. I am the Vice President of Western Utah Copper Company ("WUCC"), the defendant in the above-entitled action. I have direct personal knowledge of each of the facts stated herein, except those matters where I obtained information from other people who report to me, and if called upon to testify regarding the facts set forth herein, I could and would do so truthfully.
 - 2. WUCC owns or controls approximately 88,000 acres in Beaver County, Utah.

Approximately 95% of these properties were obtained by WUCC from parties other than Nevada Star. Only approximately 5% of WUCC's lands were obtained from Nevada Star under the Agreement and NS Option ("Agreement").

- 3. More than half of the ore that WUCC has processed from its lands since 2008 has been from properties other than those obtained from Nevada Star. Based on what I believe to be a generous calculation, the maximum amount of royalties WUCC could possibly owe Nevada Star under the Agreement through March, 2010 is \$28,433.39. This represents royalties on one-half (½) of the total ore processed from all of WUCC's properties nothwithstanding the fact that more ore was processed from non-Nevada Star properties than from the properties on which Nevada Star is entitled to a royalty payment.
- 4. During calendar year 2009, WUCC processed more than 300,000 short tons of ore from the "Properties" (as defined in the Agreement) it allegedly received from Nevada Star.
- 5. WUCC is the third largest employer in the Milford, Utah area, and has employed as many as approximately 130 people at one time within the past three years, and as of the beginning of April 2010, WUCC employed approximately 60 people. At maximum production, WUCC will likely employ at least 70 employees.
- 6. Since executing the Agreement, WUCC has, and continues to find, willing lenders and investors to fund WUCC's operational needs. Since the document entitled "A Strategic Plan Summary of Copper King Mining Corporation including its Principal Subsidiary, Western Utah Copper Company," dated November 11, 2009 was prepared by WUCC, WUCC has obtained at least \$1,500,000 in additional financing and raised over \$800,000 through sales, which will adequately enable WUCC to continue in business into the foreseeable future.

7. WUCC continues to raise funds through financing and sales sufficient to remain in business, and is in full compliance with the "production requirement" under Section 5.A of the Agreement

I declare under penalty of perjury of the State of Utah that the foregoing is true and correct.

EXECUTED this // day of April, 2010.

David McMullin

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2010, a true and correct copy of this DECLARATION OF DAVID McMULLIN IN SUPPORT OF DEFENDANT'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION was sent via the following method, to the following parties:

Derek Langton, Esq. PARSONS, BEHLE & LATIMER 201 South Main Street, Suite 1800 Salt Lake City, UT 84101 Email: dlangton@parsonsbehle.com	X	Hand-Delivery U. S. Mail, Postage Pre-paid Federal Express Fax ECF
	/s/ Emilie	e Dazley